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Notice of Allowability

Application No.

10/009,415

Examiner

Kimberly E. Glenn

Applicant(s)

PETZOLD ET AL.

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/14/05.
2. ☒ The allowed claim(s) is/are 2-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: With regards to claims 2 and 3 the prior art of record does not disclose or fairly teach the alloy having the composition $\text{Co}_a (\text{Fe}_{1-c} \text{Mn}_c)_b \text{Ni}_d \text{M}_e \text{Si}_x \text{B}_y \text{C}_z$, with M indicating one or more elements from the group Nb, Mo, Ta Cr, W, Ge, and P and $a+b+d+e+x-y+z = 100$, with Co: $a = 40 - 82$ at%, Fe+Mn: $b = 3 - 10$ at%, Mn/Fe: $c = 0 - 1$, Ni: $d = 0 - 30$ at%, M: $e = 0 - 5$ at%, Si: $x = 0 - 17$ at%, B: $y = 8 - 26$ at%, C: $z = 0 - 3$ at%, $15 < e+x+y+z < 30$.

With regards to claims 4, 5 and 12-14, the prior art of record does not disclose or fairly teach the alloy having the composition $\text{Fe}_a \text{Cu}_c \text{M}_f \text{Si}_d \text{B}_e$, with M indicating an element from the group Nb, W, Ta, Zr, Hf, Ti, Mo or a combination of these $a+c+f+d+e = 100\%$, with Fe: $a=100\%-c-f-d-e$, Cu: $c=0.5-2$ at%, M: $f=1.5$ at%; Si $d=6.5-18$ at%, B: $e=5-14$ at% with $d+e > 18$ at%.

With regards to claims 6 and 7, the prior art of record does not disclose or fairly teach the alloy having the composition $\text{Fe}_x \text{Zr}_y \text{Nb}_z \text{B}_v \text{Cu}_w$, with $x+y+z+v+w = 100\%$, with Fe: $x = 100\%-y-z-v-w$, Zr: $y=2-5$ at%, Nb: $z=2-5$ at %, B: $v=5-9$ at%, Cu: $w=0.5-1.5$ at%, with $y+z > 5$ % and $y+z+v > 11$ at %.

With regards to claims 8 and 9 the prior art of record does not disclose or fairly teach the alloy having the composition $\text{Fe}_x \text{M}_y \text{B}_z \text{Cu}_w$, with M indicating an elements from the group Zr, Hf, Nb and $x+y+z+w = 100$, with Fe: $x=100\%-y-z-w$, M: $y=6-8\%$, B: $z=3-9$ at% Cu: $w=0-1.5\%$

With regards to claims 10 and 11 the prior art of record does not disclose or fairly teach the alloy having the composition $(\text{Fe}_{0.98} \text{Co}_{0.02})_{90-x} \text{Zr}_7 \text{B}_{2+x} \text{Cu}_1$, with $x=0-3$, with the residual alloy component Co able to be replaced with Ni with appropriate equalization.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly E. Glenn whose telephone number is (571)-272-1761. The examiner can normally be reached on Monday-Friday 7:30 to 4:00.

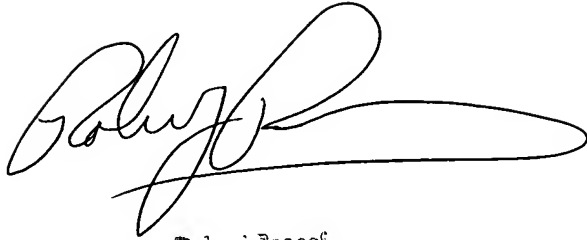
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571)-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimberly E Glenn

Examiner
Art Unit 2817

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A handwritten signature in black ink, appearing to read "Robert Pascal", with a long horizontal flourish extending to the right.

Robert Pascal
Supervisory Patent Examiner
Technology Center 2800